

**SUPREME COURT MINUTES
WEDNESDAY, JANUARY 16, 2013
SAN FRANCISCO, CALIFORNIA**

S185457 B218347 Second Appellate District, Div. 3 **ALHAMBRA, CITY OF v.
COUNTY OF LOS ANGELES**

Rehearing denied

S206084 G046177 Fourth Appellate District, Div. 3 **PEOPLE v. INFANTE
(DANIEL)**

Petition for review granted; issues limited

The petition for review is granted.

The issue to be briefed and argued is limited to the following: Did the Court of Appeal correctly determine that defendant committed independent felonious conduct that elevated his otherwise misdemeanor firearm possession to a felony and supported the charge of being an active participant in a criminal street gang in violation of Penal Code section 186.22, subdivision (a)?

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S206350 E052729/E052807 Fourth Appellate District, Div. 2 **RIVERSIDE COUNTY
SHERIFF'S DEPARTMENT v.
STIGLITZ (JAN)/(RIVERSIDE
SHERIFF'S ASSOCIATION)**

Petition for review granted; issues limited

The petition for review is granted.

The issue to be briefed and argued is limited to the following: Does the hearing officer in an administrative appeal of the dismissal of a correctional officer employed by a county sheriff's department have the authority to grant a motion under *Pitchess v. Superior Court* (1974) 11 Cal.3d 531?

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S206354 B234541 Second Appellate District, Div. 8 **KANDY KISS OF
CALIFORNIA, INC. v. TEX-
ELLENT, INC.**

Petition for review granted

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S206587 A130803 First Appellate District, Div. 4

**GILLETTE COMPANY v.
FRANCHISE TAX BOARD**

Petition for review granted

Kennard and Chin, JJ., were recused and did not participate.

Votes: Cantil-Sakauye, C. J., Baxter, Werdegarr, Corrigan, and Liu, JJ.

S207313

**VERDUGO (MICHAEL) v.
TARGET CORPORATION**

Request for certification granted

The court grants the request, made pursuant to California Rules of Court, rule 8.548, for this court to decide questions of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit. For the purposes of briefing and oral argument, plaintiffs Michael and Rosemary Verdugo are deemed the petitioners in this court. (Calif. Rules of Court, rule 8.520(a)(6).)

Kennard, J., was recused and did not participate.

Votes: Cantil-Sakauye, C. J., Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S196200 A125542 First Appellate District, Div. 2

PEOPLE v. BUZA (MARK)

Order filed: case held pending decision in another case

On its own motion, the court defers further action in this matter pending decision by the United States Supreme Court in *Maryland v. King* (2012) 425 Md. 550, cert. granted November 9, 2012, No. 12-207, __ U.S. __ [133 S.Ct. 594, 81 USLW 3127].

S207068 B236259 Second Appellate District, Div. 4

**HENDERSON (OCIE) v.
FARMERS GROUP, INC.**

Petition for review granted; briefing deferred

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Zhang v. Superior Court*, S178542 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S206473 C067180 Third Appellate District**PEOPLE v. WOOTEN
(THEODORE ROLANDO)**

Petition for review granted; transferred to Court of Appeal, Third Appellate District

The petition for review is granted.

The cause is transferred to the Court of Appeal, Third Appellate District, with directions to make any changes in its opinion it considers appropriate in light of the points made in the petition for review.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S206766 H038937 Sixth Appellate District**BOYD (GARY) v. S.C.
(PEOPLE)**

Petition for review granted; transferred to Court of Appeal, Sixth Appellate District, with directions to issue an alternative writ

The petition for review is granted.

The matter is transferred to the Court of Appeal, Sixth Appellate District, with directions to vacate its order denying mandate and to issue an alternative writ to be heard before that court when the proceeding is ordered on calendar. (See *People v. Hoffard* (1995) 10 Cal.4th 1170, 1179.)

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S195003 C064170 Third Appellate District**PEOPLE v. BUTLER
(DEMOND DUPREE)**

Dismissed and remanded to Court of Appeal, Third Appellate District

Review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 8.528(b).)

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S181061**JURADO (ROBERT) ON H.C.**

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus filed on March 18, 2010, is denied.

Claims 1.J, 1.K, 1.T to 1.AA, 5, 6, 26, 33, 34, and 48, which petitioner concedes are the only new claims, and Claims 21 to 23, 25, and 27, which are not subject to procedural bars, are each denied on the merits for failure to state a prima facie case for relief.

Claim 20 is denied as premature, without prejudice to renewal after an execution date is set. (*People v. Boyer* (2006) 38 Cal.4th 412, 485.)

Each claim is barred as untimely (see *In re Robbins* (1998) 18 Cal.4th 770, 780-781) except claims 20 to 23, 25 to 27, 38, and 44.

Claims 5, 33, 34, 43, and 45 are barred because, being based entirely on the facts in the appellate record, they could have been but were not raised on appeal. (See *In re Dixon* (1953) 41 Cal.2d 756, 759.)

Claims 7 to 19, 29 to 32, 35 to 37, 39 to 42, and 47 are barred as repetitive of claims presented and rejected on appeal. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)

Claims 1.J, 1.K, 1.T to 1.AA, 5 to 19, 29 to 37, 39 to 42, and 47 are barred as successive because they could have been but were not raised on habeas corpus previously. (*In re Clark, supra*, 5 Cal.4th 750, 767-768.)

Claims 1.A to 1.I, 1.L to 1.S, 2 to 4, 24, 28, 43, 45, and 46 are barred because they were raised and rejected in a prior petition for writ of habeas corpus. (*In re Miller* (1941) 17 Cal.2d 734, 735.)

S203392**ALEXANDER (ANDRE) v. S.C.
(PEOPLE)**

Petition for writ of mandate/prohibition denied

The petition for writ of mandate, filed June 18, 2012, is denied.

S205932

F060907 Fifth Appellate District

**PEOPLE v. KENDALL
(LEROY EUGENE)**

Petitions for review denied

S206146

A129591 First Appellate District, Div. 3

**PEOPLE v. WILLIAMS, JR.,
(WILLIE)**

Petitions for review denied

S206169

C069709 Third Appellate District

**PEOPLE v. CARTER
(JENNIFER PEARL)**

Petition for review denied

S206226

B231943 Second Appellate District, Div. 2

**PEOPLE v. BALTAZAR
(PEDRO O.)**

Petitions for review denied

S206233

B232109 Second Appellate District, Div. 3

**PEOPLE v. VILLARREAL,
JR., (FROILAN)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *In re Taylor*, S206143.

S206256

B233166 Second Appellate District, Div. 2

**PEOPLE v. GUTIERREZ
(ROBERT)**

Petition for review denied

S206279 B226839 Second Appellate District, Div. 3

Petitions for review denied

**PEOPLE v. LEWIS (EDDIE
DWAYNE)**

S206301 B233990 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. ARRIAGA
(MARIO FRANKIE)**

S206364 B217909 Second Appellate District, Div. 3

Petitions for review denied
Kennard, J., is of the opinion the petitions should be granted.

**PEOPLE v. ALONZO
(GONZALO)**

S206375 B236117 Second Appellate District, Div. 3

Petition for review denied

**ALONZO (GONZALO) ON
H.C.**

S206388 D058242 Fourth Appellate District, Div. 1

Petitions for review denied

PEOPLE v. TOLUOA (SITUE)

S206415 D059511 Fourth Appellate District, Div. 1

Petitions for review denied

**PEOPLE v. JOHNSON
(LAVERN)**

S206426 D059931 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. CULBERTSON
(LAYTON B.)**

S206438 B238016 Second Appellate District, Div. 5

Petition for review denied
Werdegar, J., is of the opinion the petition should be granted.

**PEOPLE v. ROBINSON
(GREGORY)**

S206444 D059307 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. CRUZ (SIMON)

| | | |
|---|---|---|
| S206446 | B244060 Second Appellate District, Div. 2 | STROM, JR., (MARK I.) v. S.C. (PERSOLVE LLC) |
| Petition for review denied | | |
| S206465 | C064269 Third Appellate District | PEOPLE v. BURLEW (CHRISTOPHER) |
| Petition for review denied | | |
| S206472 | C068993 Third Appellate District | PEOPLE v. CLARKE (LEE KELLY) |
| Petition for review denied | | |
| S206480 | C064726 Third Appellate District | PEOPLE v. BRADLEY (JIMMY RAY) |
| Petition for review denied | | |
| Cantil-Sakauye, C. J., was recused and did not participate. | | |
| S206487 | B224094 Second Appellate District, Div. 1 | PEOPLE v. KWON (STEVEN HYUN) |
| Petition for review & publication request(s) denied | | |
| S206491 | D058985 Fourth Appellate District, Div. 1 | PEOPLE v. GUINN (TOBIAS JEROME) |
| Petitions for review denied | | |
| S206519 | B220081 Second Appellate District, Div. 1 | PEOPLE v. ACEVEDO (RUFINO) |
| Petition for review denied | | |
| S206526 | B225177 Second Appellate District, Div. 1 | PEOPLE v. BONILLA (SANDOR) |
| Petition for review denied | | |

S206541 H036276 Sixth Appellate District

Petition for review denied

**PEOPLE v. PASSINEAU
(BRETT ANTHONY)**

S206542 C068519 Third Appellate District

Petition for review denied

**PEOPLE v. HAWES (MARK
JOSEPH)**

S206546 B241684 Second Appellate District, Div. 5

Petition for review denied

**POMONA VALLEY
HOSPITAL MEDICAL
CENTER v. S.C. (CABANA)**

S206553 B227304/B230935 Second Appellate District, Div. 5 **DON JOHNSON
PRODUCTIONS, INC. v.
RYSHER ENTERTAINMENT**

Petitions for review denied

S206562 B227880 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. MUNOZ (RENE
SAJID)**

S206564 A128678 First Appellate District, Div. 4

Petitions for review denied

**PEOPLE v. RODRIGUEZ
(JORGE)**

S206565 D060119 Fourth Appellate District, Div. 1
Petitions for review denied

PEOPLE v. BARRON (MARK)

S206584 E054522 Fourth Appellate District, Div. 2
Petition for review denied

IN RE D.M.

S206597 B214333 Second Appellate District, Div. 8

**TIEN (KEVIN) v. TENET
HEALTHCARE
CORPORATION**

Petition for review denied; CA opinion decertified

The petition for review is denied.

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above entitled appeal filed October 4, 2012, which appears at 209 Cal.App.4th 1077. (Cal. Rules of Court., rule 8.1125.)

S206616 A133248 First Appellate District, Div. 1

**VERDUZCO (YOLANDA) &
SILLER, JR., (JAMES),
MARRIAGE OF**

Petition for review denied

S206617 B231140 Second Appellate District, Div. 2

**DUTTA (SURESH V.) v.
USC/NORRIS CANCER
HOSPITAL**

Petition for review denied

S206633 B238631 Second Appellate District, Div. 8
Petition for review denied

IN RE JORGE M.

S206643 C065553 Third Appellate District

**PEOPLE v. HAGINS
(MARCUS CHARLES)**

Petition for review denied

S206647 C068583 Third Appellate District

**PEOPLE v. BASKIN (TERRY
JEROME)**

Petition for review denied

S206650 B237493 Second Appellate District, Div. 8

**PEOPLE v. MOORE (STEVEN
PAUL)**

Petition for review denied

| | | |
|--|---|---|
| S206678 | F061263 Fifth Appellate District | RESENDEZ, JR., (SAMUEL) ON H.C. |
| Petition for review denied | | |
| S206682 | B232796 Second Appellate District, Div. 8 | PEOPLE v. RAEL (LOUIS ALAN) |
| Petition for review denied | | |
| S206684 | D059748 Fourth Appellate District, Div. 1 | PEOPLE v. GUTIERREZ (REX DALE ALEXANDER) |
| Petition for review denied | | |
| S206685 | B236714 Second Appellate District, Div. 8 | PEOPLE v. CLYTUS (DONALD A.) |
| Petition for review denied | | |
| Werdegar and Corrigan, JJ., are of the opinion the petition should be granted. | | |
| S206687 | D060541 Fourth Appellate District, Div. 1 | PEOPLE v. IRANI (SAROSH PHARAD) |
| Petition for review denied | | |
| S206701 | E052853 Fourth Appellate District, Div. 2 | PEOPLE v. KOOYMAN (TIMOTHY ARIE) |
| Petition for review denied | | |
| S206713 | H036815 Sixth Appellate District | BAKER (CORRETTA) v. COLDWATER CREEK |
| Petition for review denied | | |
| S206739 | B231945 Second Appellate District, Div. 6 | CITIZENS FOR CLEAN WATER v. REGIONAL WATER QUALITY CONTROL BOARD |
| Petition for review & publication request(s) denied | | |

S206745 F063422 Fifth Appellate District

Petition for review denied

**PEOPLE v. NEWMAN
(JAMES ANDREW)**

S206756 A135469 First Appellate District, Div. 2

Petition for review denied

**FROM THE HEART HOME
CARE, INC. v. WORKERS'
COMPENSATION APPEALS
BOARD & SERUNJOGI
(SARAH)**

S206773 H038910 Sixth Appellate District

Petition for review denied

Kennard and Corrigan, JJ., are of the opinion the petition should be granted.

**AVALONBAY
COMMUNITIES, INC. v. S.C.
(MURILLO)**

S206776 E054016 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. ROLANDO
(CARLOS)**

S206792 B237963 Second Appellate District, Div. 5

Petition for review denied

IN RE K.H.

S206800 H038156 Sixth Appellate District

Petition for review denied

**PEOPLE v. HUNT (ZACKERY
DANIEL)**

S206812 C068728 Third Appellate District

Petition for review denied

**PEOPLE v. BRUSACORAM
(SHAWN ALBERT)**

S206817 B236682 Second Appellate District, Div. 3

Petition for review denied

IN RE ANTHONY M.

S206824 A132155 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. WILLIAMS
(PAUL ANTHONY)**

S206834 B236877 Second Appellate District, Div. 5

Petition for review denied

**WESTERN CALIFORNIA
PRESBYTERY v. HOLY HILL
COMMUNITY CHURCH**

S206848 B241316 Second Appellate District, Div. 7

Petition for review denied

G. (JUAN) v. S.C. (PEOPLE)

S206857 E051556 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. HENDRIX
(JAMAR LEE)**

S206886 B234794 Second Appellate District, Div. 8

Petition for review & depublication request(s) denied

**ELIJAHJUAN (HIREEM) v.
S.C. (MIKE CAMPBELL &
ASSOCIATES, LTD.)**

S206900 C067693 Third Appellate District

Petition for review denied

**PEOPLE v. CASTREJON
(RAMIRO GUZMAN)**

S206916 H035416 Sixth Appellate District

Petition for review denied

**LOEBER (ILONA &
CARLTON), MARRIAGE OF**

S206931 B232692 Second Appellate District, Div. 8

Petition for review denied

Werdegarr, J., was recused and did not participate.

**LEDUC (LANANH) v. KAISER
FOUNDATION HEALTH
PLAN, INC.**

S206934 B229308 Second Appellate District, Div. 2 **PEOPLE v. SOTO (ISRAEL)**
Petition for review denied

S206971 A137042 First Appellate District, Div. 3 **HARRELL (HULEN T.) ON**
Petition for review denied **H.C.**

S206972 E057426 Fourth Appellate District, Div. 2 **HERRERA (DENISE MARIE)**
Petition for review denied **ON H.C.**

S206975 B233126 Second Appellate District, Div. 7 **PEOPLE v. BLACK (BOBBY**
Petition for review denied **LEWIS)**

S206985 B236384 Second Appellate District, Div. 2 **PEOPLE v. FLORES (JOSE)**
Petition for review denied

S207000 **THOMAS (KEITH) v. S.C.**
Petition for writ of error coram vobis denied **(PEOPLE)**
The petition for writ of *coram nobis* motion to vacate judgment is denied.

S207014 G044600 Fourth Appellate District, Div. 3 **PEOPLE v. DIAZ, JR.,**
Petition for review denied **(ERNESTO)**

S207022 C069519 Third Appellate District **PEOPLE v. MILEY**
Petition for review denied **(NICHOLAS LUKE)**

S207024 H038413 Sixth Appellate District **A. (E.) ON H.C.**
Petition for review denied

S207025 H037642 Sixth Appellate District
Petition for review denied

IN RE E.A.

S207031 B235680 Second Appellate District, Div. 1
Petition for review denied

PEOPLE v. MENDOZA (JOSE ROBERTO)

S207033 F062315 Fifth Appellate District
Petition for review denied

PEOPLE v. RUIZ (OTILIO DIAZ)

S207034 A132740 First Appellate District, Div. 5
Petition for review denied

PEOPLE v. NORTH (BENJAMIN KEATH)

S207037 G044789 Fourth Appellate District, Div. 3
Petition for review denied

PEOPLE v. FLORES (SANTOS SOLANO)

S207039 F063379 Fifth Appellate District
Petition for review denied

GOLDBERG (TODD) v. ASHLAN ASSOCIATES, INC.

S207043 D060050 Fourth Appellate District, Div. 1
Petition for review denied

PEOPLE v. MIZNER (JEFFREY)

S207044 B239577 Second Appellate District, Div. 7
Petition for review denied

IN RE MARCOS A.

S207047 D060090/D061988 Fourth Appellate District, Div. 1
Petition for review denied

PEOPLE v. CHANDLER (MATTHEW LLOYD)

S207049 E054441 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. TILLMAN, JR.,
(LEE ANDER)**

S207050 G045142 Fourth Appellate District, Div. 3

Petition for review denied

**BARTH (JEFFREY &
ANDREA), MARRIAGE OF**

S207053 B236250 Second Appellate District, Div. 7

Petition for review denied

**URBINA (DANNY O.) v.
CARRINGTON MORTGAGE
SERVICES**

S207056 B227016 Second Appellate District, Div. 1

Petition for review denied

PEOPLE v. WALSH (DEAN)

S207058 B234554 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. NUNEZ (JUAN
VALENCIA)**

S207059 B231034 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. CLARK
(GREGORY DEE)**

S207061 C069957 Third Appellate District

Petition for review denied

**PEOPLE v. FRANKLIN, JR.,
(LESLEY WILLIAM)**

S207063 G047344 Fourth Appellate District, Div. 3

Petition for review denied

**MONTIJO (GILBERT) ON
H.C.**

S207065 C069890 Third Appellate District

Petition for review denied

**PEOPLE v. MILLER
(GREGORY ALLEN)**

S207076 A136027 First Appellate District, Div. 5

Petition for review denied

**THAMES (CHADLEY
WAYNE) ON H.C.**

S207080

Petition for writ of mandate/prohibition denied

**HUNT (ZACKERY) v. COURT
OF APPEAL, SIXTH
APPELLATE DISTRICT
(PEOPLE)**

S207086 F063046 Fifth Appellate District

Petition for review denied

**PEOPLE v. BELLUOMINI
(THOMAS EARL)**

S207088 E053908 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MIRACLE (ALAN
JAMES)**

S207089 A132732 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. QUINONEZ (JOSE
ALFREDO)**

S207092 B240605 Second Appellate District, Div. 8

Petition for review denied

IN RE R.B.

S207093 B236979 Second Appellate District, Div. 6

Petition for review denied

IN RE M.T.

S207094 G045494 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. LORENZO
(GABRIEL ESTRADA)**

S207096 C068594 Third Appellate District

Petition for review denied

**PEOPLE v. WEAVER (ARLEF
DAI)**

S207110 E053906 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. JARUKARUTA
(MICHELLE YING HO)**

S207124 A136604 First Appellate District, Div. 5

Petition for review denied

**LACERDA (STEVEN M.) ON
H.C.**

S207126 C062788 Third Appellate District

Petition for review denied

**PEOPLE v. BUTLER
(THOMAS IGNACIOUS)**

S207129

**WILLIAMS (GREGERY H.) v.
COURT OF APPEAL, SIXTH
APPELLATE DISTRICT
(DEPARTMENT OF
CORRECTIONS &
REHABILITATION)**

Petition for writ of mandate/prohibition denied

The petition for writ of mandate and motion for production of records are denied.

S207131 E053055 Fourth Appellate District, Div. 2

The petition for review is denied without prejudice to defendant's right to seek whatever relief he might be entitled to under Penal Code section 1170.126 [effective Nov. 7, 2012].

**PEOPLE v. VILLA
(FAUSTINO RODRIGUEZ)**

S207132 E054168 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. LELLESS
(CHARLES)**

S207135 D059467 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. KASHANI
(MIRMASSOUD)**

S207136 B236692 Second Appellate District, Div. 3
Petition for review denied

**PEOPLE v. WASHINGTON
(LAWON TELEFARROW)**

S207137 B238811 Second Appellate District, Div. 8
Petition for review denied

**PEOPLE v. ALDECUA
(JAIRO MARRUFO)**

S207138 G045173 Fourth Appellate District, Div. 3
Petition for review denied

**PEOPLE v. JARACUARO
(ADRIAN BECERRA)**

S207143 B237611 Second Appellate District, Div. 4
Petition for review denied
The request for judicial notice is denied.

**KASHFIAN (ANGELA) v.
ABRAMS (SHIRZAD)**

S207144 C068827 Third Appellate District
Petition for review denied

**PEOPLE v. SAEPHANH (LOU
FINH)**

S207147 A132726 First Appellate District, Div. 1
Petition for review denied

**PEOPLE v. GOMEZ (JUAN
C.)**

S207148 B232125 Second Appellate District, Div. 5
Petition for review denied

**PEOPLE v. McCLAIN (ALEX
MARQUIS)**

S207149 A136713 First Appellate District, Div. 5
Petition for review denied

**F. (DAVID) v. S.C. (SAN
FRANCISCO HUMAN
SERVICES AGENCY)**

S207170 B236618 Second Appellate District, Div. 7
Petition for review denied

PEOPLE v. SMITH (KENNY)

S207171 C069562 Third Appellate District
Petition for review denied

**SAR (CHHIN) v. ONETO, JR.,
(EDWIN L.)**

S207175 H037397 Sixth Appellate District
Petition for review denied

**PEOPLE v. ALAPISCO
(AARON)**

S207180 G046113 Fourth Appellate District, Div. 3
Petition for review denied

**CARROLL (DEBORAH) v.
BRISTOL PARK MEDICAL
GROUP, INC.**

S207181 C067944 Third Appellate District
Petition for review denied

**SCHOMBERG (ERIKA) ON
H.C.**

S207182 E053337 Fourth Appellate District, Div. 2
Petition for review denied

**PEOPLE v. GARZA (JERRY
GLEN)**

S207184 B236537 Second Appellate District, Div. 4
Petition for review denied

**PEOPLE v. CAVAZOS
(RAFAEL)**

S207196 A136869 First Appellate District, Div. 1
Petition for review denied

**GAHR (RICHARD LOUIS) ON
H.C.**

S207205 H036856 Sixth Appellate District
Petition for review denied

**PEOPLE v. SANCHEZ
(FRANCISCO)**

| | | |
|--|---|---|
| S207209 | D060579 Fourth Appellate District, Div. 1 | ESLAMI (NAGHI) v. AMWINS TRANSPORTATION UNDERWRITERS, INC. |
| Petition for review denied | | |
| S207211 | C068894 Third Appellate District | PEOPLE v. GREENE (DARIN DEMETRIUS) |
| Petition for review denied | | |
| S207224 | C069897 Third Appellate District | PEOPLE v. McPHERSON (GIORGIO DEVON) |
| Petition for review denied | | |
| S207230 | C068463 Third Appellate District | PEOPLE v. PACHECO (STEVEN PAUL) |
| Petition for review denied | | |
| S207242 | A133909 First Appellate District, Div. 1 | IN RE K.Y. |
| Petition for review denied | | |
| S207260 | B234474 Second Appellate District, Div. 5 | PEOPLE v. FRANK (ESSIEN NGUVU) |
| The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides <i>People v. Diaz</i> , S205145. | | |
| S207262 | G045421 Fourth Appellate District, Div. 3 | IN RE A.J. |
| Petition for review denied | | |
| S207264 | B234537 Second Appellate District, Div. 1 | NEIMAN (ELLEN) v. LEO A. DALY COMPANY |
| Petition for review & depublication request(s) denied | | |

S207273 C069381 Third Appellate District

Petition for review denied

**DETHLOFF (ANTONY P.) v.
KRUMP CONSTRUCTION,
INC.**

S207274

Petition for writ of mandate/prohibition denied

**BRANDON (JEREMY
CHRISTOPHER) v. S.C.
(PEOPLE)**

S207275 A130262 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. DURAN III
(JOSEPH STANLEY)**

S207276 B243282 Second Appellate District, Div. 8

Petition for review denied

**TEXEIRA (MICHAEL) v.
WORKERS'
COMPENSATION APPEALS
BOARD & SKR
INVESTMENT**

S207278 C067709 Third Appellate District

Petition for review & depublication request(s) denied

**INTERNATIONAL
BROTHERHOOD, ETC. v.
CITY OF REDDING**

S207279 B235376 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. MORENO (SAUL
GASTELUM)**

S207281 A133600 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. ELFAND
(JONATHAN CRAIG)**

S207282 D060285 Fourth Appellate District, Div. 1

Petition for review denied

**TRISTAN, JR., (DAVID P.) v.
CALIFORNIA DEPARTMENT
OF CORRECTIONS &
REHABILITATION**

S207284 D059907 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. SUAREZ (JORGE
LUIS)**

S207288 G046665 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. GOMEZ (CESAR)

S207289 D059699 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. WILLARD
(JOSHUA ANTONIO)**

S207291 F065778 Fifth Appellate District

Petition for review denied

**HOLLIS (JEREMY LEE) ON
H.C.**

S207302 C067883 Third Appellate District

Petition for review denied

**PEOPLE v. WARE (DENNIS
ALLEN)**

S207305

Petition for writ of mandate/prohibition denied

**HALEY (DWAYNE
MICHAEL) v. COURT OF
APPEAL, SECOND
APPELLATE DISTRICT
(PEOPLE)**

S207319 E054749 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. GONZALES
(FRANK MENDOZA)**

S207323 G045020 Fourth Appellate District, Div. 3

Petitions for review denied

**PEOPLE v. HERRERA
(MARCO ANTONIO)**

S207332 G045723 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. SINCOX (FRANK
LEWIS)**

S207335 C067643 Third Appellate District

Petition for review denied

**PEOPLE v. OWEN (CHAD
ERIC)**

S207342 A137132 First Appellate District, Div. 3

Petition for review denied

**SHOBLUM (SCOTT) v. S.C.
(THORNTON)**

S207679 B241044 Second Appellate District, Div. 6

Application to transfer denied

The motion for an order transferring this cause to a different division of the Court of Appeal, Second District, is denied.

**PEOPLE v. JOHNSON (RYAN
JAMES)**

S207697 B245461 Second Appellate District, Div. 8

Petition for review denied

**YENT (DESTIN SCOTT) v.
S.C. (PEOPLE)**

S208000 B240475 Second Appellate District, Div. 2

Petition for review & application for stay denied

**HEDGES (MARK) v. RUBIN
(MARCY GRAY)**

S195732

Petition for writ of habeas corpus denied

**KING (MICHAEL STEVEN)
ON H.C.**

S205040**ALVAREZ (SESAR
ANTONIO) ON H.C.**

Petition for writ of habeas corpus denied

S205189**WARNER (LANCE) ON H.C.**

Petition for writ of habeas corpus denied

S206123**ROSALES (JOSHUA
MANUAL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709, 723.)

S206275**THORNTON (SHAMAR L.)
ON H.C.**

Petition for writ of habeas corpus denied

S206278**SCOTT, SR., (JEROME N.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Lessard* (1965) 62 Cal.2d 497, 503; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S206280**HAWORTH (JEFFREY) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S206296**JOHNSON (HERBERT BEY)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S206302**INMAN (RONALD JERRELL)
ON H.C.**

Petition for writ of habeas corpus denied

S206306**GADLIN (GREGORY) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S206348**ESCAMILLA (RUDY) ON
H.C.**

Petition for writ of habeas corpus denied

S206353**LUJAN (RICHARD) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S206361**IBARRA (JUAN) ON H.C.**

Petition for writ of habeas corpus denied

S206368**GALINDO (JESUS) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S206372**NELSON (CURTIS LEE) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S206377**ATCHLEY (RUFUS) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S206384**MARQUEZ (MARIO) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S206395**PRICE (GABRIEL W.) ON
H.C.**

Petition for writ of habeas corpus denied

S206408**BRAGGS (CHARLES) ON
H.C.**

Petition for writ of habeas corpus denied

S206410**BROOKS (PHARAOH E.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S206412**RATHBUN (CHARLES) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S206413**ABRAHAM (ALAN) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S206422**BOTELLO (GILBERT) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S206423**LEAVELLE (KEVIN DeSHAN)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S206504**CARR (ANDRE T.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S206512**BRIGGS (JOHNNY LEE) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S206522**WEST (JIMMIE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S206524**WHEELWRIGHT (DION
DARYL) ON H.C.**

Petition for writ of habeas corpus denied

S206528**LOPEZ (ROBERT
ANTHONY) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dixon* (1953) 41 Cal.2d 756, 759.)

S206534**GADLIN (GREGORY) ON
H.C.**

Petition for writ of habeas corpus denied

S206557**WILLIAMS (JEREMIAH) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S206566**BROOKS (BRUCE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S206579**GRAY (DARYL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S206580**FLAHERTY (RYAN
PATRICK) ON H.C.**

Petition for writ of habeas corpus denied

S206583**RICO (JEFF) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

S206588**CABADA (JACK) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S206589**CARDONA (MELECIO
MAGANA) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S206697**BARRON III (ROBERT J.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S206940**CARDONA (MELECIO
MAGANA) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S206969**BARRON III (ROBERT J.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734, 735.)

S207083**CABADA (JACK) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S207105**COLEMAN (RAHSAAN) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S207905

Petition for writ of habeas corpus denied
The motion for release on bail is denied.

**PALIK (ANTHONY J.) ON
H.C.**

S205965 C069365 Third Appellate District
Depublication request denied (case closed)

IN RE MICHAEL A.

S206448 C068489 Third Appellate District

**FARMER (SANDY) v. LODI
MEMORIAL HOSPITAL
ASSOCIATION, INC.**

Publication request denied (case closed)

S206578 E056931 Fourth Appellate District, Div. 2

**LAW OFFICES OF MARC E.
GROSSMAN v. S.C. (VICTOR
ELEMENTARY SCHOOL
DISTRICT)**

Publication request denied (case closed)

S206705 G045697 Fourth Appellate District, Div. 3

**SHIMABUKURO (LEE S.) v.
IBARRA (ENRIQUE
OLVERA)**

Publication request denied (case closed)

S207198 D058988 Fourth Appellate District, Div. 1

**PEOPLE v. JACKSON
(JOVAN CHRISTIAN)**

Depublication request denied (case closed)

The requests for an order directing depublication of the opinion in the above-entitled appeal are denied. The court declines to review this matter on its own motion. The matter is now final.

S207347 A131993 First Appellate District, Div. 5

**COLLINS (RHONDA LYNN)
v. COUNTY OF SAN MATEO
PROBATION DEPARTMENT**

Publication request denied (case closed)

S207537 B235203 Second Appellate District, Div. 6
Depublication request denied (case closed)

PEOPLE v. NUNEZ (JOSE)

S096809

**PEOPLE v. POYNTON
(RICHARD JAMES)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Yun K. Lee's representation that he anticipates filing the respondent's brief by April 12, 2013, counsel's request for an extension of time in which to file that brief is granted to March 15, 2013. After that date, only one further extension totaling about 30 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S107782

**WELCH (DAVID ESCO) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Wesley A. Van Winkle's representation that he anticipates filing the exceptions to the report and recommendations of the referee and brief on the merits by August 31, 2013, counsel's request for an extension of time in which to file that document is granted to April 2, 2013. After that date only three further extensions totaling about 150 additional days are contemplated.

S191287

**STREETER, JR., (HOWARD
L.) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Michael Laurence's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by February 7, 2013, counsel's request for an extension of time in which to file that document is granted to February 7, 2013. After that date, no further extension will be granted.

S201116 A131254 First Appellate District, Div. 4

**BERKELEY HILLSIDE
PRESERVATION v. CITY OF
BERKELEY (LOGAN)**

Extension of time granted

On application of amicus curiae Save Our Carmel River and The Open Monterey Project and good cause appearing, it is ordered that the time to serve and file the amicus curiae brief is hereby extended to February 15, 2013.

S201116 A131254 First Appellate District, Div. 4

**BERKELEY HILLSIDE
PRESERVATION v. CITY OF
BERKELEY (LOGAN)**

Extension of time granted

On application of amicus curiae Berkeley Architectural Heritage Association and good cause appearing, it is ordered that the time to serve and file its amicus curiae brief in support of appellants is hereby extended to February 15, 2013.

S043520

**PEOPLE v. POWELL (CARL
DEVON)**

Motion for access to sealed record granted

Appellant's "Motion to Unseal Specified Records," filed on October 22, 2012, is granted. The Clerk is directed to unseal the following portions of the record on appeal: Clerk's Augmented Transcript on Appeal, 987, 987.2 and 987.9 Documents, volume 1, pages 54-56, 60-63, 101-102, 109, 122-128, 136-141, 143, 145-148, 182, 196, 201, 241, and 262.

The Clerk is further directed to make the unsealed copies part of the public record on appeal, and send copies to counsel for respondent.

Cantil-Sakauye, C. J., was recused and did not participate.

S190730

**HOUSTON (ERIC
CHRISTOPHER) ON H.C.**

Record ordered unsealed

Petitioner's "Motion to Unseal Records," filed on November 5, 2012, is granted. The Clerk is directed to unseal in the record on appeal in *People v. Houston*, S035190, the sealed volume of the Clerk's Transcript on Appeal captioned "PC §987 DOCUMENTS" and provide respondent's counsel with a copy of this volume.

S203026 B231005 Second Appellate District, Div. 4

**RALPH'S GROCERY
COMPANY v. MISSIONARY
CHURCH OF THE
DISCIPLES OF JESUS
CHRIST**

Order filed

The filing date for a responsive brief to the brief filed by amicus curiae United Food & Commercial Workers Local 8 is extended until such date to be specified by further order of the court.

S206945**BECK (JAMES DAVID) ON
H.C.**

Motion to file document under seal granted

Petitioner's "Application for Leave to File Sealed Exhibits in Support of Petition for Writ of Habeas Corpus," filed November 28, 2012, is granted. The Clerk is directed to file Exhibits 272-289 under seal. In ordering this sealing, this court makes the findings required by California Rules of Court, rules 2.550(d) and 8.46(e).

Petitioner's counsel is ordered to serve respondent's counsel with copies of Exhibits 272-289.

S206660**ACCUSATION OF FONOTI**

Petition denied (accusation)

S207142**ACCUSATION OF COFILED**

Petition denied (accusation)

S207145**ACCUSATION OF
SATRUSTEGUI**

Petition denied (accusation)

S207292**ACCUSATION OF
SAWATSKY**

Petition denied (accusation)

S204906**HEALY ON DISCIPLINE**

Petition for writ of review denied; disbarred

The petition for writ of review is denied.

The court orders that KEVIN MICHAEL HEALY, State Bar Number 173479, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

KEVIN MICHAEL HEALY must make restitution as recommended by the Review Department of the State Bar Court in its Opinion filed on June 26, 2012. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

KEVIN MICHAEL HEALY must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

Cantil-Sakauye, C. J., was recused and did not participate.

